IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 2770 of 2003

Between:

Soma Anantha Reddy, S/o Rami Reddy
R/o Thimmareddypally, Navabpeta Mandal,
Ranga Reddy District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Navabpeta Mandal

Ranga Reddy District.
2 The Mandal Development Officer, Navabpeta Mandal

Ranga Reddy District.
3 The Thimmareddypalli Gram Panchayat rep. by its

Sarpanch, Sri Komappli Narasimhulu,
Thimmareddypalli Village, Navabpeta Mandal,
Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in laying a road in the lands belongs to petitioner in Sy.No.439/A situated at Thimmareddypalli Village, Navabpeta Mandal, Ranga Reddy District without initiating land acquisition proceedings and paying the compensation as illegal, arbitrary and high handed and consequently direct the respondents not to lay any road in the lands belonging to petitioner.

Counsel for the Petitioner:MR.M.PRABHAKARA RAO

Counsel for the Respondents 1 and 2: GP FOR REVENUE

Counsel for the Respondent No.3: Mr. P.RAGHAVENDRA RAO

The Court made the following :

ORDER:

The petitioner, who is resident of Thimmareddypally, hamlet of Chittigadda Village in Ranga Reddy District, claims to be owner of Ac.1.01 guntas in S.No.439/A of the said village. He filed the present Writ Petition seeking a Writ of Mandamus declaring the action of the respondents in allegedly laying road on petitioner's land without due process of law, as illegal and arbitrary.

After receiving notice, respondents have filed a counter affidavit stating that the land admeasuring Ac.1.00 comprised in S.No.439/B of Chittigadda Village was acquired for providing house sites to landless poor persons, that the said land is shown as Kharij Khata (Government land) and that road is being laid in the said land. The allegation that the petitioner's land in S.No.439/A was utilized for laying road is denied. Therefore, it is made clear that if any part of the petitioner's land in S.No.439/A is also used for the purpose of laying road, the respondents shall take necessary action in accordance with law. In this Writ Petition, no relief can be granted.

With the above observations, the Writ Petition is dismissed.

_____

(V.V.S.RAO, J)

20.7.2004

bnr

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Mandal Revenue Officer,

Navabpet Mandal, Ranga Reddy District.

2.The Mandal Development Officer,

Navabpet Mandal, Ranga Reddy District.

3.The Sarpanch, Thimmareddypalli Village,

Navabpet Mandal, Ranga Reddy District.

4.2CCs to the GP for Revenue, High Court Buildings, Hyderabad (OUT)

5.2CD copies

Form-NIC-OGS/WP{ }